

Sent by: Mark A Krull;
To: Maresh
At: 15036574273 785 655 1083;

Nov-28-01 8:25PM;

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REISSUE APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Maresh et al. Group Art Unit: 3733

Serial No: 09/932,471

Filed: 08/17/01

Title: EXERCISE METHODS AND APPARATUS

An application to reissue:

Pat. No: 5,938,568

Issued: 08/17/99

REISSUE DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

As an inventor named in the above-identified reissue application, the specification of which is reproduced in U.S. Pat. No. 5,938,568, I hereby declare that:

37 C.F.R. 5.1.63 Requirements

My residence, citizenship, and post office address are as stated below;

I am a joint inventor of the claimed invention;

I have reviewed and understand the contents of this application, including the claims of the issued patent and the newly added claims that were filed together with this application;

I believe I am an original and first inventor of the subject matter which is claimed in this application; and

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I acknowledge the duty to disclose information which may be material to the examination of this application in accordance with 37 C.F.R. 1.56(a).

37 C.F.R. § 1.175 Requirements

I believe the original patent, U.S. Pat. No. 5,938,568, is partly inoperative because it claims less than what could have been claimed;

One error being relied upon as the basis for reissue is that no independent claim of the original patent focuses primarily on the provision of respective rollers on left and right rocker links to support the respective forward ends of left and right foot supports (as shown in Figures 3 and 4, and as recited in dependent claims 2, 5, and 8); and

All errors being corrected in this application up to the time of filing of this Declaration arose without any deceptive intention on my part.

17 C.F.R. § 1.68 Requirements

All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; and these statements are made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment under Section 1001 of Title 18 of the United States Code, and that willful false statements and the like may jeopardize the validity of this application and any resulting patent.

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Power of Attorney

I hereby appoint Mark A. Krull, Reg. No. 34,205, as my representative in this application, with full power to handle all matters regarding this application, and I request that all correspondence be directed to him at the address and/or telephone number set forth below:

Mark A. Krull
Post Office Box 57
Greencastle, IN 46135

(765) 655-9123

FURTHER DECLARANT SAYETH NOT.

Inventor: John W. Stearns Date: 11-27-01
(Signature)

Inventor: Kenneth W. Stearns

Residence: Houston, Texas Citizenship: U.S.A.

Address: Post Office Box 55912, Houston, TX 77255

Inventor: Joseph D. Maresh Date: 26 NOV 01
(Signature)

Inventor: Joseph D. Maresh

Residence: West Linn, Oregon Citizenship: U.S.A.

Address: Post Office Box 645, West Linn, OR 97068-0645

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Title: EXERCISE METHODS AND APPARATUS

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Pat. No: 5,938,568

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DECLARATION OF SMALL ENTITY STATUS

As an inventor named in the above-identified reissue application, the specification of which is reproduced in U.S. Pat. No. 5,938,568, I hereby declare that:

I qualify as an independent inventor, as defined in 37 C.F.R. 1.9(c), for purposes of paying reduced fees to the Patent and Trademark Office under Title 35 of the United States Code, Sections 41(a) and (b);

I have not assigned, granted, conveyed, or licensed, nor am I under any obligation to assign, grant, convey, or license any rights in the application, or the invention described therein, to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(c) if that person had made the invention, or to any concern which could not qualify as a small business concern under 37 C.F.R. 1.9(d), or as a nonprofit organization under 37 C.F.R. 1.9(e);

In accordance with 37 C.F.R. 1.28(b), I am under a duty to file, in this application or resulting patent, notification of any change resulting in loss of entitlement to small entity status; and

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All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true; these statements are made with the knowledge that willful false statements and the like are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and with knowledge that any such willful false statements and the like may jeopardize the validity of the above-identified application and any related patent(s).

Inventor: John H. Stearns Date: 11-27-01
(Signature)

Inventor: Kenneth W. Stearns

Residence: Houston, Texas Citizenship: U.S.A.

Address: Post Office Box 55912, Houston, TX 77255

Inventor: Joseph D. Maresh Date: 11-26-01
(Signature)

Inventor: Joseph D. Maresh

Residence: West Linn, Oregon Citizenship: U.S.A.

Address: Post Office Box 645, West Linn, OR 97068-0645

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10. An exercise apparatus, comprising:
a frame designed to rest upon a floor surface;
left and right cranks rotatably mounted on the frame and
rotatable about a crank axis;
left and right rocker links pivotally mounted on the
frame and pivotal about a pivot axis;
left and right rollers rotatably mounted on respective
rocker links; and
left and right foot supporting members having respective
first portions rotatably connected to respective cranks and
respective second portions disposed on top of respective rollers.
11. The exercise apparatus of claim 10, wherein the rocker
links have respective upper ends that are sized and configured for
grasping by a person standing on the foot supporting members.
12. The exercise apparatus of claim 11, wherein the rollers
pivot through respective arcuate paths disposed beneath the pivot
axis.
13. The exercise apparatus of claim 12, wherein the rocker
links are independently movable relative to the frame and one
another.
14. The exercise apparatus of claim 10, wherein the rollers
pivot through respective arcuate paths disposed beneath the pivot
axis.
15. The exercise apparatus of claim 10, wherein the cranks
are rotatably mounted on a rearward end of the frame, and the
rocker links are pivotally mounted on a forward end of the frame,
and left and right foot supports are provided on intermediate

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portions of respective foot supporting members, between respective first portions and respective second portions.

16. A method of facilitating exercise, comprising the steps of:

providing a frame designed to rest upon a floor surface;
rotatably mounting left and right cranks on the frame;
pivottally mounting left and right rocker links on the
frame;

rotatably mounting left and right rollers on respective
rocker links; and

providing left and right foot supporting members with
respective first portions rotatably connected to respective cranks
and respective second portions disposed on top of respective
rollers.

17. The method of claim 16, further comprising the step of
providing the rocker links with respective upper ends that are
sized and configured for grasping by a person standing on the foot
supporting members.

18. The method of claim 17, wherein the rollers are rotatably
mounted on respective rocker links to pivot through respective
arcuate paths disposed beneath the pivot axis.

19. The method of claim 16, wherein the cranks are rotatably
mounted on a rearward end of the frame, and the rocker links are
pivottally mounted on a forward end of the frame, and further
comprising the step of providing left and right foot supports on
intermediate portions of respective foot supporting members
between respective first portions and respective second portions.

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20. An exercise apparatus, comprising:
a frame designed to rest upon a floor surface;
left and right cranks rotatably mounted on the frame and
rotatable about a crank axis;
left and right rocker links pivotally mounted on the
frame and pivotal about a pivot axis;
left and right rollers rotatably mounted on the frame;
and
left and right foot supporting members having respective
first portions rotatably connected to respective cranks, and
respective second portions disposed on top of respective rollers,
and respective third portions movably connected to respective
rocker links.
21. The exercise apparatus of claim 20, wherein the rocker
links have upper ends that are sized and configured for grasping by
a person standing on the foot supporting members.
22. The exercise apparatus of claim 20, wherein the rollers
are selectively movable relative to the frame.
23. The exercise apparatus of claim 20, wherein left and
right pins project outward from respective third portions and into
slots in respective rocker links.